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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOSEPH WOLF, CARMEN WOLF,  
ON BEHALF OF THEMSELVES AND  
THOSE SIMILARLY SITUATED,

Plaintiffs,

v.

DOLGEN NEW YORK, LLC D/B/A DOLGEN,

Defendant.

Case No.: 7:23-cv-00558 (PMH)

**DEFENDANT DOLGEN NEW YORK,  
LLC'S NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

*Oral Argument Requested*

**PLEASE TAKE NOTICE** that Defendant Dolgen New York, LLC ("Dollar General") respectfully moves this Court before the Honorable Philip M. Halpern, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York 10601, on a date and time to be determined by the Court, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Civil Rule 56.1, granting summary judgment and dismissing Plaintiffs' Second Amended Complaint in its entirety with prejudice on the grounds that there are no genuine issues of material fact requiring a trial, entering judgment for Dollar General, and awarding such other, further or different relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that in support of this motion, Dollar General shall rely upon the following documents submitted herewith: (1) Local Civil Rule 56.1 Statement in Support of Motion for Summary Judgment; (2) Memorandum of Law; (3) Declaration of Philip A. Goldstein, and exhibits annexed thereto; (4) Declaration of Mia Savaloja, and exhibits annexed thereto; (5) Declaration of Andre Carter; and (6) all prior pleadings and proceedings in this action.

**PLEASE TAKE FURTHER NOTICE** that, pursuant the Minute Entry entered on August 29, 2024, any opposition to Dollar General's Motion for Summary Judgment shall be served on or before November 15, 2024, and any reply to such opposition shall be served on or before December 6, 2024. On December 6, 2024, all moving, opposition, and reply papers shall be filed with the Court.

Dated: New York, New York  
September 27, 2024

**McGUIREWOODS LLP**

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